COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
INTERNAL AFFAIRS BUREAU INVESTIGATIVE REPORT

DATE OF INCIDENT	FILE NO.
March 6, 1994	**IAB007109**

PERSONNEL INVOLVED

HARRIS, Allen Deputy #[redacted]
Safe Streets Bureau - Carson GET
Field Operations Region II

REQUESTOR

Leroy D. Baca, Chief
Field Operations Region II

CHARACTER OF CASE

Deputy Involved Shooting

LOCATION

3700 Hamner Avenue, Norco California

REFERENCE	INVESTIGATOR
Leroy D. Baca, Chief **Field Operations Region II**	**Mark D. Walker, Sergeant** **Internal Affairs Bureau**

SYNOPSIS

On March 6, 1994 at approximately 1935 hours, Deputy Harris was off duty and returning home from San Diego. Deputy Harris stopped at the AM/PM gas station located at Hamner Avenue and Interstate 15, in the City of Norco to buy gasoline and use the restroom. While inside the store, Deputy Harris observed a suspect secrete merchandise inside his clothing and leave the counter without paying. When Deputy Harris advised the clerk the suspect overheard the remark and became angry. When Deputy Harris exited the store, the suspect sitting in a car at the pumps, told Deputy Harris he was going to kill him. As Deputy Harris went to his truck to retrieve his gun, the suspect fired several shots at Deputy Harris. Deputy Harris returned fire striking the suspect's vehicle several times. Deputy Harris was not injured nor was the suspect or any other civilians. The suspect was subsequently arrested for attempted murder.

SUBMITTED BY	REFERRED FOR RECOMMENDATION TO
Judith A. Lewis, Captain **Internal Affairs Bureau**	**Commander Review Board**

STATUS OF PERSONNEL INVOLVED

Continuing on duty

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
INCIDENT DATA

WHAT INITIATED INCIDENT

Call		Observation	X	Search Warrant		Arrest Warrant	

LOCATION OF OCCURRENCE

3700 Hamner Avenue, Norco

TYPE OF LOCATION

Residence		Business	X	Industrial		Parking Lot	
Street		Backyard		Freeway		Rural	
Other							

SHOOTING CONDITIONS

DATE	TIME	DAY
3/6/94	1935 hours	Sunday

LIGHTING	WEATHER
Artificial lighting from gas station pump islands and lighted business signs.	Cool, cloudy

DISTANCE

10-15 feet

CONTRIBUTING FACTORS

None

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

CLASSIFICATION

ACCIDENTAL:	No
GUN TAKE-AWAY:	No
PERSON(S) ARMED:	Yes
PERSON(S) UNARMED:	No
STARTLE:	No
UNINTENTIONAL:	No
DEPUTY IN UNIFORM:	[ ] RAID JACKET: [ ] PLAIN CLOTHES: [X]
VEST WORN:	No
FOOT PURSUIT:	No
VEHICLE PURSUIT:	No
MOVING VEHICLE:	No
VEHICLE STOP:	No
TYPE OF HOLSTER:	None
GUN IN HOLSTER:	No
STRUGGLE INVOLVED:	No

ADDITIONAL FACTS AND INFORMATION:
None

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME			
HARRIS, Allen			

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	Safe Streets Bureau, Gang Enforcement Team

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
Male	White	6' 02"	190	[redacted]	34

DUTY STATUS	HIRE DATE
Continuing on duty	2/2/83

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
No	No	Yes	No

INJURED	DECEASED	CORONER'S CASE NO.
No	No	N/A

DESCRIPTION OF INJURIES
None

WAS THE DEPUTY IMMEDIATELY REMOVED FROM THE SCENE? YES [X] NO [ ]

WAS THE DEPUTY SEQUESTERED PRIOR TO THE INTERVIEW? YES [X] NO [ ]

WHERE? Riverside County Sheriff's Department

SUPERVISED BY: Unknown

WEAPON USED

TYPE	AUTHORIZED
Smith & Wesson 9mm Semi-Automatic Pistol Model 669 Serial # TAV[redacted]	Yes
AMMUNITION TYPE	AUTHORIZED
Department Issue	Yes

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	14	0

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
No	No	N/A

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

DEPUTY INVOLVED
Continued

ASSIGNMENT HISTORY		
DATE	**UNIT OF ASSIGNMENT**	**RANK**
10/25/92 - Present	Safe Streets Bureau	Deputy
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)

FILE	DATE	TYPE
[redacted]		

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

SUSPECT/SUBJECT

LAST NAME	FIRST NAME	M/I
REYES	Raymond	Jess

ADDRESS
[redacted]

SEX:	RACE	HEIGHT	WEIGHT	D.O.B.	AGE	DECEASED
Male	Hispanic	5'09"	150	06/15/75	18	No

INJURED	DESCRIPTION OF INJURIES
No	None

SUSPECT'S TOXICOLOGY

UNDER THE INFLUENCE	
Unknown	

TYPE OF SUBSTANCE	LAB TEST CONDUCTED
Unknown	No

ARMED	TYPE OF WEAPON
Yes	Smith & Wesson .22 cal Revolver Model 63

NUMBER OF SHOTS FIRED BY SUSPECT	NUMBER OF HITS
Possibly 4	0

SUSPECT VEHICLE

1979 Cadillac Lic# [redacted], Grey in color

CRIMINAL HISTORY (ATTACH COPY OF RAPS)

[redacted]

SUMMARY OF INCIDENT

See Investigative Summary

Investigative Summary

The summary of this incident is based upon reports, interviews and information contained in Riverside County Sheriff's Department criminal investigation (file #GR94065032). It also contains information verbally relayed to the Internal Affairs investigators by Riverside County Sheriff's investigators.

On March 6, 1994, at approximately 1935 hours, Deputy Allen Harris while en route home from the San Diego area, was involved in an off-duty shooting in the City of Norco. Lieutenant Ron Tardiff, and Sergeant Mark Walker were notified at 2045 hours and responded.

Deputy Harris and his [redacted], K [illegible] d on Interstate 15 through the City of N[illegible] gas station at the 6th Street exit. Deputy Harri[illegible] error [illegible] e from the San Diego area where they had sp[illegible] 'M card at the pumps and filled his gas tanks. While he was fueling the truck, [illegible] oman went inside the location to use the restroom. After fueling his truck, After he fueled the truck, [redacted] returned and reentered the truck. Deputy Harris then parked his truck in front of the entry doors and went inside to obtain a receipt and use the restroom. [redacted] remained in the truck and waited for Deputy Harris.

While Deputy Harris was inside the convenience store waiting in line, a male hispanic entered and walked to the cashier. When the cashier turned his back to get change, the male placed several items of candy and beef jerky in his pockets. Deputy Harris observing the theft of the candy and jerky, asked the clerk if he was going to charge the suspect for the items. The clerk chose not to address the matter with the suspect and the suspect quickly walked out of the store without saying anything to anyone.

Approximately 30 to 40 seconds later, the suspect re-entered the store. The suspect pointed at Deputy Harris and stated something to the effect of, "Why don't you mind you're own fucking business, and I'll mind my own fucking problems." The suspect turned and exited the store. Deputy Harris then used the restroom and exited the store. While he was walking to his truck, which was parked just outside the front doors, he observed the suspect sitting in the driver's seat of a grey Cadillac at the gas pumps. Deputy Harris heard the suspect say to him, "Fuck you man, I'm going to fucking kill you." Deputy Harris hurried to the passenger door of his truck and rattled the door so [redacted] would unlock the door. As [redacted] opened the door, Deputy Harris saw the suspect's vehicle start to back up. Deputy Harris saw the suspect looking directly at him and then saw the suspect's right hand raise up to his

chest and then saw a muzzle flash. Deputy Harris heard approximately 4 shots as he was retrieving his off duty weapon from a carry bag inside the cab. As Deputy Harris was retrieving his gun, [redacted] took cover on the floorboard of the truck. Deputy Harris then took a position of cover behind the right front fender of his truck. The suspect was continuing to back up and was still looking at Deputy Harris with his hand in the same position at his chest. Deputy Harris fearing the suspect was about to shoot again, fired five to seven shots at the suspect. The suspect fired several more rounds at Deputy Harris who returned fire at the suspect. The suspect continued to back up.

The suspect's vehicle stopped momentarily and started to roll forward. Deputy Harris felt he had hit the suspect and stepped away from the truck. The suspect then accelerated quickly and drove through the gas pump area and exited the parking lot via the northwest driveway onto 6th Street. The suspect drove eastbound on 6th Street to the corner and turned southbound on Hamner Avenue. The suspect continued southbound Hamner and out of sight.

Deputy Harris returned to his truck to check the welfare of his [redacted] and to reload. Deputy Harris had fired a total of 14 rounds emptying his magazine. After checking on the welfare of [redacted], he check on the welfare of the other patrons at the gas station. Deputy Harris identified himself as a Deputy Sheriff to the cashier and requested him to dial 911. Deputy Harris did not exchange any words with the suspect nor did he identify himself prior to the shooting.

Witness [redacted], FW/43, [redacted], Phone [redacted] was interviewed on 3/6/94. Witness [redacted] said she had just arrived at the AM/PM gas station and had just pulled into a parking stall on the southeast side of the parking lot, facing the store, when the shooting started. Witness [redacted] said her van was just south of Deputy Harris' truck separated by a handicap parking stall. She said she heard a gunshot and quickly pulled Witness [redacted], who was riding in the passenger seat of her van to the floorboard. She yelled at her two [redacted], [redacted] and [redacted], who were riding in the rear of the van to also lay down. Witness [redacted] said she looked out the passenger side of the van and saw Deputy Harris pull out a gun and return fire at a car which was backing toward her van. She said the car then sped away with the tires screeching.

Witness [redacted], FW/42, [redacted], Phone [redacted], was interviewed on 3/6/94. She said she was riding in Witness [redacted] van and had just opened the door to exit. She said she heard someone say "I'm going to kill you", just before the first gunshots, which sounded like 4 or 5 shots. She said she looked and saw Deputy Harris standing by the front of his red truck shooting in the direction of the gas pumps.

Witness [redacted], MB/23, [redacted], Phone [redacted] was interviewed by Riverside County Sheriff's investigators. Witness [redacted], a [redacted], said the suspect entered the store to purchase some gas. He said as the suspect was leaving, Deputy Harris alerted him that the suspect had stolen some things. He said he didn't feel like checking it out, so he let the suspect leave without investigating. The suspect returned to the store and exchanged words with Harris. He said the suspect said something about kicking Harris' ass, and Harris replying, "I don't have a problem with you", in an attempt to calm the problem.

Witness [redacted] said the suspect then left the store and returned to his car parked at the pumps. He said when Harris left the store after using the rest room, he saw the suspect's vehicle back up. He said he lost sight of the suspect's vehicle because his view was blocked. He then heard several gunshots and immediately dropped to the floor. When the shooting stopped, he looked out and saw the suspect's vehicle "burning rubber" and speeding through the pump area. The suspect left via the north exit onto 6th Street then southbound Hamner Avenue.

Witness [redacted], FW/45, [redacted], Phone [redacted], was interviewed on 3/6/94. Witness [redacted], [redacted] said she was standing just outside the store on a break, when the shooting started. Witness [redacted] said she was about fifteen feet from Deputy Harris' truck, on the walkway in front of the store. She added that she was between Harris' truck and Witness [redacted] van.

Witness [redacted] said she saw the suspect enter the store and upon exiting was mumbling something. She said he went back into the store a short time later and heard him cursing at someone inside the store. She said the suspect returned to his car which was parked at the pumps. She said she could not see the car because Harris' truck was blocking her view. She added that a short time later, Deputy Harris exited the store and walked to his truck. She said she saw the suspect's car pull in front of Harris and come to a screeching stop. Witness [redacted] said she saw a gun being pointed out of the car at Deputy Harris who was at the right front fender of his truck. She said the suspect then fired four shots at Deputy Harris. She added that the shots were aimed at Deputy Harris and not in the air as later explained by the suspect. She added that Deputy Harris returned fire at the suspect as she ran to Witness [redacted] van to take cover.

Witness [redacted], FW/29, [redacted], Phone [redacted] was interviewed by Riverside County Sheriff's Department on 3/6/94. Witness [redacted] explained that after Deputy Harris had gassed the truck, he parked it in front of the store and she remained inside the truck while he went inside to use the bathroom. She said she saw the suspect pull up to the pumps and enter the store. The suspect returned to his car and shortly after that Deputy Harris was at her window

telling her to unlock the door. She said Deputy Harris reached into the truck and retrieved his gun from a case on the seat. She added that Deputy Harris told her to get down on the seat and she complied. She said she then heard gun shots coming from the area where the suspect's car was parked. She then heard several more gun shots and the sound of screeching tires. She said she was not sure who had fired the shots and Harris had not told her what happened.

Deputy Harris was interviewed by Riverside County Sheriff's Department on 3/6/94. Deputy Harris said he and Witness [redacted] were driving home from [redacted] when they decided to exit the freeway in Norco to get gas and use the restroom. Deputy Harris said after he filled his tank, he moved his truck to the front of the store and went inside to use the restroom. He added that Witness [redacted] had already used the restroom and waited in the truck while he went inside. Deputy Harris said that while he was inside, he saw the suspect, a male hispanic, 18 to 20 years old approach the clerk. He said the suspect gave the clerk some money and the clerk turned his back to get change. While the clerk's back was turned, the suspect grabbed an handful of beefsticks off the counter and put them in into his pocket. The suspect then grabbed a handful of candy bars and placed them in the same pocket. When the clerk gave the suspect the change, Deputy Harris said he asked the clerk if he was going to charge the suspect for the items he had taken. Deputy Harris said the clerk looked as if he did not know what he was talking about and the suspect hurriedly exited the store.

Deputy Harris said the suspect re-entered the store approximately one minute later. He said the suspect pointed at him and told him to mind his own business. Deputy Harris said he did not respond and the suspect left the store. Deputy Harris said he went to the restroom and when he walked out of the store, he saw the suspect sitting in the driver's seat of a grey Cadillac at the pumps directly across from his truck. He said as he walked toward his truck, the suspect said "Fuck you man! I'm going to fucking kill you." Deputy Harris said he felt the suspect was serious and went to the passenger side of his truck to get his gun.

Deputy Harris said he got Witness [redacted] to open the door and he saw the suspect start backing toward him. He said as he was getting his gun he saw the suspect raise his right hand. He then saw a muzzle flash and heard four gun shots. He said that he never saw the gun, but only the muzzle flash. Deputy Harris said he then went to the right front fender of his truck and fired five to seven shots at the suspect. He added that the suspect continued to back up and again saw a muzzle flash and heard several more gunshots. Deputy Harris said he fired several more rounds at the suspect. The suspect then sped away through the pump area and out of the gas station area via the north driveway then southbound on Hamner Avenue.

Deputy Harris said after the suspect had left, he went to his truck and re-loaded and put an additional magazine in his pocket. He said he felt the suspect might return.

Deputy Harris said he never identified himself as a peace officer to the suspect prior to the shooting.

Suspect Raymond Jess Reyes, MH/18, [redacted] Phone [redacted] was interviewed by Riverside County Sheriff's Department on 3/8/94. Suspect Reyes said he went to the AM/PM gas station to get gas for his car. He said he was inside the store paying for the gas when Deputy Harris saw him put the candy bars and beefsticks in his pocket. He said Deputy Harris made the comment to the clerk, "Hey are you going to let that little punk take stuff." He said the clerk did not say anything and he quickly left the store. Suspect Reyes said he argued with Deputy Harris for a moment, before leaving the store. He said when Deputy Harris exited the store, he shot at Deputy Harris several times just to scare him. He added that he shot into the air and not directly at Deputy Harris. Suspect Reyes said that he did not remember saying anything to Harris when he exited the store. Suspect Reyes said the next thing he knew, Deputy Harris was firing back and he got out of there as fast as he could.

Suspect Reyes was booked and charged with attempted murder against Deputy Harris. The Riverside County District Attorney's Office conducted a review of the shooting, (Exhibit B), and determined that Deputy Harris was justified in discharging his weapon and taking the actions he did.